

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Bronson Shelley, #1589035, aka Bronson Shelley, #353229,

Plaintiff,

vs.

Bryan P. Stirling, James M. Brown, Dennis R. Patterson, and Annie Rumler,

Defendants.

Case No.: 4:20-cv-03025-JD-TER

OPINION & ORDER

This matter is before the Court with the Report and Recommendation of United States Magistrate Thomas E. Rogers, III (“Report and Recommendation”) (DE 57), made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02(B)(2) of the District of South Carolina.¹ Bronson Shelley (“Shelley” or “Plaintiff”), proceeding *pro se* and *in forma pauperis*, brought this action pursuant to 42 U.S.C. § 1983, alleging violations of the First Amendment’s Free Exercise Clause, the Fourteenth Amendment’s Equal Protection Clause, and the South Carolina Religious Freedom Act, S.C. Code Ann. § 1-32-50. (DE 1.)

On September 17, 2021, Plaintiff filed a Motion for Preliminary Injunction & Temporary Restraining Order (DE 45) asking the Court to direct the South Carolina Department of Corrections (“SCDC”) to “authorize formal recognition of Hebrew Israelites as a faith group so that SCDC officials and chaplaincy may facilitate the practice of the Hebrew Israelite faith and make the

¹ The recommendation has no presumptive weight, and the responsibility for making a final determination remains with the United States District Court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the magistrate judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).


necessary accommodations.” (DE 45, p. 2.) Defendants Bryan P. Stirling, James M. Brown, Dennis R. Patterson, and Annie Rumler (collectively “Defendants”) filed a Response in Opposition on October 1, 2021 (DE 46), and Plaintiff filed an Affidavit in Support on November 2, 2021 (DE 52).

The Report and Recommendation was issued on July 6, 2022, recommending that Plaintiff’s Motion for Preliminary Injunction & Temporary Restraining Order be denied as to the requested preliminary injunction/temporary restraining order. Plaintiff filed no objections to the Report and Recommendation. In the absence of objections to the Report and Recommendation, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983). The Court must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Diamond v. Colonial Life & Acc. Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005).

Accordingly, after a thorough review of the Report and Recommendation and the record in this case, the Court adopts the Report and Recommendation and incorporates it herein.

It is, therefore, **ORDERED** that Plaintiff’s Motion for Preliminary Injunction & Temporary Restraining Order (DE 45) is denied.

IT IS SO ORDERED.


Joseph Dawson, III
United States District Judge

Florence, South Carolina
July 27, 2022

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has the right to appeal this order within thirty (30) days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.